

Charter Amendment Res. No.: 2020-1A  
Adopted: April 20, 2020  
Effective Date: April 20, 2020

## **TOWN OF GARRETT PARK**

### **A RESOLUTION TO REPEAL AND REPLACE CHARTER AMENDMENT RES. NO. 2020-1 AND TO AMEND SECTION 78-28 OF THE CHARTER OF THE TOWN OF GARRETT PARK**

This Resolution of the Council of the Town of Garrett Park (the “Council”) is adopted pursuant to the Constitution of Maryland, Article XI-E, the Maryland Code, Local Government Article, Section 4-301, *et seq.*, and the Charter of the Town of Garrett Park (the “Charter”), to amend Section 78-28 to the Charter to allow election methods and procedures to be altered in a state of emergency.

Section 1. BE IT RESOLVED BY THE TOWN COUNCIL, that Section 78-28 be revised to read as follows:

#### **Section 78-28. Regulation and control by council.**

**(a)** The council has the power to provide by ordinance in every respect not covered by the provisions of this Charter for the conduct of registration; nomination; town elections; the content of the ballot; and for the prevention of fraud in connection therewith, and for a recount of ballots in case of doubt or fraud. (Reso. 4–26–71.)

#### **(b) Conduct of election in a state of emergency.**

Notwithstanding anything to the contrary contained in this Charter, due to the state of emergency declared by the Governor of Maryland, within the corporate limits of the town, the council shall be authorized to pass an ordinance to implement such emergency election procedures for 2020 as may be deemed necessary as a result of the state of emergency, including but not limited to changing the election date and nomination deadlines; altering the method, conduct, or voting system of the election; altering the manner of balloting; canceling an uncontested election; and eliminating the use of polling stations.

NOTE: Underlining indicates language added to the Charter  
**[Boldface Brackets]** denote language deleted from the Charter

Section 2. AND BE IT FURTHER RESOLVED, that the date of the adoption of this Resolution is April 20, 2020 and that the amendment to the Charter hereby provided by this enactment shall be and become effective immediately, the notice, publication, timing, hearing, effective date, and referendum requirements of the Maryland Code, Local Government Article, Title 4, Subtitle 3, being hereby suspended according to the

Governor of Maryland's Executive Order No. 20-03-30-03, enabling municipalities to amend the date, method, conduct, or voting system of an election to help control and prevent the spread of COVID-19.

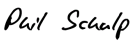
Section 3. AND BE IT FURTHER RESOLVED, that the Mayor shall send, by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to the Department of Legislative Services, the following information concerning the amendment: (i) the complete text of the amendment as hereby enacted; (ii) the number of votes cast for and against the amendment by the Town Council; and (iii) the effective date of the amendment.

Section 4. AND BE IT FURTHER RESOLVED, that the said Mayor be and is hereby specifically instructed to carry out the provisions of this Resolution. As evidence of compliance herewith, the said Mayor shall cause to be placed in the official files the return receipt of the mailing referred to in Section 3, and shall further complete and execute the Certificate of Effect attached hereto, and provide notice to the Governor according to Order No. 20-03-30-03.

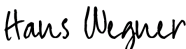
Section 5. AND BE IT FURTHER RESOLVED, that this Res. No. 2021-1A repeals and replaces Res. No. 2020-1. Res. No. 2020-1 added the new text above as Section 78-29. Instead, this resolution adds the new text above to existing Section 78-28.

DocuSigned by:  
  
 34B8BB3DB5694F7  
 Gerilee Bennett 4/27/2020


DocuSigned by:  
  
 B4C8B1E850A347D  
 Stephen Paczkowski 4/28/2020


DocuSigned by:  
  
 84468A3691E445C...  
 Phil Schulp 4/28/2020

DocuSigned by:  
  
 79EE40AA968E4BC...  
 Dan Simons 4/27/2020

DocuSigned by:  
  
 8CC322AD41C346A...  
 Hans Wegner (voted in opposition) 4/28/2020

ATTEST:

DocuSigned by:  
  
 8397ABD4D2914F9...  
 Andrea Fox, Town Manager  
 Town of Garrett Park 4/27/2020

DocuSigned by:  
  
 73AD5D347460487...  
 Kacky Chantry, Mayor  
 Town of Garrett Park 4/28/2020